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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	George S. Gabriel et al.		
Serial No.:	09/173,134	Art Unit:	3643
Filed:	October 15, 1998	Examiner:	Son T. Nguyen
For:	MULTISPECIES RODENT CAGE		

DECLARATION OF NICK GUISE

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This Declaration is submitted by the undersigned, Nick Guise, who makes the following Declaration:

1. I am currently Associate Director of Bioresources at Wyeth Research, two Burtt Road, Andover, Massachusetts, 01810. I have held that position since 1996. I have no financial interest in Lab Products, Inc. (LPI), or in any entity related to LPI or affiliated with LPI.

2. As Associate Director of Bioresources, my responsibilities include the selection and purchase of laboratory equipment, including rodent cages and systems.

3. Prior to joining Wyeth Research, I worked for Arthur D. Little. I held that position from 1987 until 1995. My title at that position was Manager of Animal Facilities.

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4. Prior to working at Arthur D. Little, I worked at the Massachusetts Institute of Technology (MIT) where I was the manager of the Division of Comparative Medicine from 1985 to 1987.

5. While I was at MIT, and at Arthur D. Little, the facilities I worked at purchased animal cage components from a variety of different suppliers. While one of those suppliers was LPI, LPI equipment was by no means favored or preferred. Accordingly, prior to my beginning my present position at Wyeth Research, I was not a loyal LPI customer of rodent cages and systems, but instead, a purchaser of equipment from various suppliers. My decisions were often based upon several factors including price, utility and delivery.

6. In 1996, I joined Wyeth Research. Their new animal facility in Andover, MA, had already selected LPI rodent caging. In Fall 2000, Wyeth Research left its old 5,000 square foot facility located in Cambridge, Massachusetts, and moved to a new 17,000 square foot state-of-the-art facility. With the increased space, Wyeth Research planned to purchase new rodent cage and rack systems.

7. Upon seeing the One Cage™ system from LPI around the Fall of 1999, I realized that LPI had addressed a problem faced by research facilities. At that time and to this date, I am not aware of any other company having addressed this problem. The problem is that, with floor space and storage being at a premium, prior to the One Cage™ system, suppliers had limited their improvements of cage systems to meet Institute for Laboratory Animal Research (ILAR) standards for each individual type of rodent size and/or species. Thus, manufacturers provide specialized rodent cage and rack systems,

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with each particular rodent cage and rack system being dimensioned and configured for a specific rodent type and/or size. For example, a certain cage and rack system would be dimensioned and configured specifically to house mice, while another cage and rack system would be dimensioned and configured to specifically house rats. In contrast, with the One Cage™ system, LPI developed a cage system that is dimensioned and configured to accommodate a plurality of different rodent types, while meeting ILAR requirements for each rodent type.

8. Wyeth Research purchased forty-three (43) One Cage™ rack and cage systems on October 13, 2000, and thirty-six (36) One Cage™ rack and cage systems on October 25, 2000. Wyeth Research's decision to purchase One Cage™ rack and cage systems was based on several reasons.

9. First, LPI's One Cage™ System met Wyeth Research's rodent caging system needs exceedingly well and enabled Wyeth Research to accommodate different rodent species (i.e., sizes) with the benefit of reducing inventory of cage types. Wyeth has also been able to standardize the size of each lab space due to the design and dimension of the One Cage™ System.

10. Second, the "standardized caging" provided by LPI's One Cage™ System has greatly enhanced Wyeth Research's efficiency and laboratory and storage space utilization.

11. The benefits recognized by Wyeth Research are due to the ability of LPI's One Cage™ System to accommodate a plurality of rodent types, and to its unique size and proportion, specifically, to the fact that the cage level barrier rodent cage of the One

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Cage™ System has a floor with a footprint that meets ILAR standards for multiple species of rodents. That is, the One Cage™ System meets ILAR requirements for each rodent type.

12. Since LPI's introduction of its One Cage™ System, Wyeth Research has not found any other cage level barrier rodent cage system that can accommodate a plurality of different rodent types, while meeting ILAR requirements for each rodent type, as can the One Cage™ System.

13. One reason Wyeth Research selected and continues to purchase LPI's One Cage™ System is the cost savings we realize by not having to purchase and inventory different cage level barrier rodent cages and systems for our different rodent type needs. We can now purchase a single cage level barrier rodent cage and system for all of our rodent types.

14. Another reason Wyeth Research selected and continues to purchase LPI's One Cage™ System is that it provides us with the ability to standardize the size of our cage level barrier rodent cages and systems. We have been able to significantly improve and standardize our use of laboratory and inventory space as a result of the standardized cage and rack footprint provided by the One Cage™ System. I believe that the One Cage™ System is a significant improvement over other commercially available cage level barrier rodent cages and systems because it results in a more efficient use of valuable laboratory space and has simplified facilities planning and design.

15. I hereby declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true, and further

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that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: May 9th, 2003

Nick Guise
Associate Director of Bioresources
Wyeth Research